

Hoosier state led with involuntary sterilization laws

Symposium April 12 to explore Indiana eugenics legislation 100 years later

By Cindy Aisen Fox, Published March 09, 2007

IU Home Pages

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One of the darkest chapters of social policy will be explored in a public symposium and exhibit next month focusing on Indiana's enactment of the world's first eugenic sterilization law in 1907. The event and exhibit will examine the relevance of the history of sterilization and other eugenic measures to contemporary issues in human genetics, public health, reproductive health, mental health and the law.



Indiana Gov. Frank Hanly approved first state eugenics law making sterilization mandatory for certain individuals in state custody. Interestingly, in April 1920 he argued the case of *Hawke v. Smith* and won a unanimous decision issued on June 1, 1920, upholding the 18th and 19th amendments, which upheld both prohibition and the right of women to vote. The ruling came just months before his death in an automobile-train mishap.

In April 1907, Indiana Gov. Frank Hanley signed into law the Compulsory Sterilization Law of Indiana, a bill providing for involuntary sterilization "to prevent procreation of confirmed criminals, idiots, imbeciles and rapists." Found unconstitutional by the Indiana Supreme Court 14 years later, a revised bill was enacted in 1927 applying to "inmates of state institutions, who are insane, idiotic, imbecile, feeble-minded, and epileptic, and who by the laws of heredity are the probable potential parents of socially inadequate offspring likewise afflicted." This law remained in force until repealed by the Indiana General Assembly in 1974.

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"A century ago supporters viewed surgical sterilization as part of a broader eugenics program, including immigration and marriage restriction, whose goal was to better the human race by preventing reproduction of those with 'inferior' hereditary traits, such as criminality and the other conditions described in the legislation. They claimed their policy was based on the best science of the day, and through the 1930s there was only ineffective opposition from the scientific and medical community," said William Schneider, professor of history and Ort Chair in international health-care philanthropy at

IUPUI. He is a medical historian and principal coordinator of the public symposium and exhibit being held to mark the centennial of the enactment of the first eugenics legislation.

“Eugenics has long occupied a frightening place in the history of medicine and science, from the Nazi death camps to the maltreatment of patients with mental disorders. We are only now beginning to study state-sponsored eugenics programs in the U.S.; what we learn from the past will help society make better decisions about how best to use the power of science for the good of humanity in the future,” said Eric Meslin, director of the IU Center for Bioethics and assistant dean for bioethics at the School of Medicine.



Schneider



Meslin

The public symposium, “Indiana Eugenics: History and Legacy,” will be at the Indiana State Library, 140 N. Senate Ave., Indianapolis, on Thursday, April 12, from 8:30 a.m.– noon. It is sponsored by the IU schools of Medicine, of Law and of Liberal Arts at IUPUI. Featured speakers include Daniel Kevles of Yale University and Joe Palca of National Public Radio. A roundtable discussion with Schneider, Meslin and other professionals in medicine, law and history will follow from 2-5 p.m.

A companion exhibit at the Indiana State Library featuring original documents from the period opens April 12 and will run through August. The exhibit was created in partnership with the Herron School of Art and Design and is open weekdays from 8 a.m.- 4:30 p.m. In addition to the general public, school and other groups are welcome. There is no admission fee.

Admission to the symposium is free, but space is limited and prior registration is required. To register, telephone Judi Campbell at 317-274-4740 or e-mail jizukac@iupui.edu. For further information, including online media resources, visit the official Indiana Eugenics: History and Legacy web site at: <http://www.bioethics.iupui.edu/Eugenics/index.htm>